

Township of Vernon

TOWNSHIP COUNCIL MEETING

MARCH 9, 2015

The Meeting of the Township Council of the Township of Vernon was convened at 7:30 p.m. on Monday, March 9, 2015 in the Vernon Municipal Center, 21 Church Street, Vernon, New Jersey with Council President Patrick Rizzuto presiding.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting had been provided to the public and the press on January 4, 2015, and was posted on the bulletin board in the Municipal Building in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-7.

ROLL CALL OF MEMBERS

Present were Council Members Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel and Council President Patrick Rizzuto. Also present was CFO Elke Yetter, Administrator Bill Zuckerman, Mayor Victor Marotta and Township Attorney John Ursin.

EXECUTIVE SESSION

There was no Executive Session.

SALUTE TO THE FLAG

Council President Rizzuto led the assemblage in the salute to the flag.

PRESENTATIONS:

Retiring Officer Awards: Det. Sgt. Sean Talt, Cpl. Ed Lazicki and Captain Stephen Moran.

Police Chief Randy Mills discussed the achievements of this fine group of officers throughout their careers. Each officer received a commemorative shadow box featuring the highlights of their years of service.

Police Promotions: Lt. Brian Jernick to Captain; Sgt. Keith Kimkowski to Lieutenant; Cpt. Bill Mutz to Sergeant; Cpl. Charles Reid to Sergeant.

Chief Mills enumerated the achievements of the officers being promoted this evening. Chief Mills and Mayor Marotta requested that each officer please come forward to be Administered the following oath.

Township of Vernon

OATH OF ALLEGIANCE AND OFFICE

Chap. 217, P.L. 1971. N.J.S.A. 41:1-1 and 41:1-3

STATE OF NEW JERSEY :

: ss

COUNTY OF SUSSEX :

I, **the officer stated their name**, do solemnly affirm that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same, and to the Governments established in the United States and in this State, under the Authority of the People.

I do further solemnly affirm that I will faithfully, impartially and justly perform all the duties as **the officer stated their rank** of the **Vernon Township Police Department**, according to the best of my ability, so help me God.

Swearing in of New Police Officers: Adam Kraus and Bradley Pindyck. Chief Mills and Mayor Marotta requested that each officer please come forward to be administered the following oath.

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I do further solemnly affirm that I will faithfully, impartially and justly perform all the duties as a **Police Officer** in the **Vernon Township Police Department**, according to the best of my ability, so help me God.

RECESS:

Council President Rizzuto requested a motion for a short recess at 7:53 pm.

MOTION: Brian Lynch

SECOND: Jean Murphy

All members were in favor.

Council President Rizzuto requested a motion to return from recess at 8:01 pm.

MOTION: Brian Lynch

SECOND: Dick Wetzel

All members were in favor.

PUBLIC COMMENT: Council President Rizzuto asked for a motion to open the meeting for Public Comments.

MOTION: Brian Lynch

SECOND: Jean Murphy

All members were in favor.

Bob Tapford, Highland Lakes, thanked the Township for keeping the portable toilets in Veteran's Memorial Field for winter. Mr. Tapford stated he tried to adopt a cat from the Township unsuccessfully. Mr. Tapford explained that although the staff at Animal Control tried to assist him, however the cat was not spayed. The subsidy the town provided will not be available until July; additionally the cat did not have all its shots. Mr. Tapford stated he returned the cat and adopted a new cat from West Milford for \$35. Mr. Tapford stated that although Vernon only charged \$10 he would rather pay more to get a cat that had all its shots and was spayed and neutered. Mr. Tapford encouraged the town to consider increasing its fee to include all items.

Krista Gerry, Highland Lakes, stated she had been listening to Vernon Vibes. Ms. Gerry stated that in her opinion it was in bad taste for the Mayor to discuss political adversaries. Ms. Gerry stated more decorum is in order. Ms. Gerry stated she appreciated the work by Council Member Kadish and Council Member Murphy.

Council Member Kadish commented that there is a service that comes once a month to the Petco Mall in Middletown called Tara and they spay your animal for \$38 in one day.

CLOSED TO PUBLIC COMMENTS

Seeing no more members of the public wishing to speak, Council President Rizzuto asked for a motion to close the public portion of the meeting.

MOTION: Brian Lynch

SECOND: Dan Kadish

All Members were in favor.

MAYOR'S REPORT

- Mayor Marotta read into the record a proclamation for the Girl Scout Gold award received by Laurie Buruchian.
- Mayor Marotta discussed that the League of Municipalities Magazine featured an article written by him about Jumpstarting Leadership. Mayor Marotta explained this was the second time an article about Vernon had been featured; the first being about National Night Out. It was also noted that Mayor Marotta had been invited to host a class on management at the November League of Municipalities Convention.

Proclamation

WHEREAS, Girls Scouts of America, through continuous programs and troop meetings for girls of all ages, provides members with a bridge to the future by developing good citizenship, teaching important skills, encouraging career exploration and increasing world understanding;

WHEREAS: Laurie Buruchian, a 2014 Vernon Township graduate, is a member of Girl Scouts of Northern NJ Troop 70895, has traveled to various places in the United States earning her Museum, Sailing, Traveler and the Girl Scout Journey badge as well as many others;

WHEREAS: Laurie Buruchian, through hard work and dedication has earned her *Girl Scout Gold Award* by dedicating over 100 hours on her Girl Scout Gold Leadership Project in which she designed and created children's coloring & activity books geared to hospitalized children facing illnesses, fears and adversities;

WHEREAS: with the help of younger Troop members, Laurie collected donations and supplies to distribute 100 gift bags of crayons, coloring books and hand-made cards to Newton Memorial Hospital for young patients to reduce their fears when being hospitalized;

WHEREAS, nationwide, less than six percent of eligible Girl Scouts ever earn the *Girl Scout Gold Award*, the highest level in girl scouting; it is a tremendous accomplishment and one of which to be very proud;

WHEREAS: the *Girl Scout Gold Award* teaches young women leadership and organizational skills, sense of community and commitment, which establishes a strong foundation for a lifetime of active citizenship.

NOW, THEREFORE, BE IT PROCLAIMED I, Mayor Victor Marotta hereby extend my sincerest congratulations to:

Laurie Buruchian

for her commendable achievement in receiving the prestigious *Girl Scout Gold Award* as a member of the Girl Scouts of Northern NJ Troop #70895.

CONSENT AGENDA

Council President Rizzuto gave a brief explanation of Resolutions #15-56 - #15-66.

Council President Rizzuto asked for a motion to adopt Resolutions #15-56 - #15-66.

MOVED: Dan Kadish
 SECONDED: Brian Lynch

Council Member Murphy questioned where the revenue or offset from Resolution 15-63 (Interlocal Service Agreement with the MUA for Administrative Services) was in the municipal budget. CFO Yetter explained it is listed under the tax collector and the administrative services do not just include financial services like tax collection services but mail processing and postage. CFO Yetter further explained that DPW services are listed under the DPW.

Council Member Kadish questioned Resolution 15-57 and the funds that are divided between the County and the overages to the Township. CFO Yetter reviewed the contract terms.

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto

NAYS: None

ABSTAIN: None

Resolutions #15-56 - #15-66 were adopted.

RESOLUTION #15-56

RESOLUTION FOR CALCULATION FOR RESERVE FOR UNCOLLECTED TAXES

WHEREAS, the prior year tax collection rate is used to calculate the Reserve for Uncollected Taxes; and

WHEREAS, pursuant to N.J.S.A 40A:4-41c(2) states:

“If tax appeal judgments of the county tax board pursuant to R.S.54:3-21 et seq., or the State tax court pursuant to R.S.54:48-1 et seq., result in tax reductions for the previous fiscal year, the governing body of the municipality may elect to calculate the current year reserve for uncollected taxes by reducing the certified tax levy of the prior year by the amount of the tax levy adjustment resulting from those judgments.” ; and

WHEREAS, 2014 taxes were reduced by court tax judgments in the amount of \$174,424.00;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Vernon, in the County of Sussex, State of New Jersey, that the 2014 tax levy be reduced by \$174,424.00 in calculating the tax collection rate used for the Reserve for Uncollected Taxes.

RESOLUTION# 15-57

AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO SIGN A LEASE AGREEMENT WITH THE COUNTY OF SUSSEX FOR NUTRITION SITE PREMISES FOR SENIOR CITIZENS

WHEREAS, Vernon Township has available space in the Senior Citizen Center; and

WHEREAS, there is a continuing need for space to offer meals to accommodate approximately 75 senior citizens per day; and

WHEREAS, the Township of Vernon has offered, for appropriate compensation, to allow the County of Sussex to utilize a portion of the Senior Citizen facility for the Vernon Nutrition Site Operation project as per attached lease agreement for the year 2015; and

WHEREAS, the lease agreement is attached hereto and made a part hereof; and

WHEREAS, the compensatory amount for the use of this facility is \$22,700.00 for the agreement year.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Vernon, New Jersey as follows:

1. That the Township Council of the Township of Vernon hereby authorizes and directs the Mayor and Township Clerk to execute the lease agreement between Vernon Township and the County of Sussex for use of the Vernon Township Senior Citizen Center for the Vernon Nutrition Site Project.
2. A certified copy of this Resolution shall be submitted to the Clerk of Sussex County and Timothy Cunningham, the Director of the NJ Division of Local Government Services.

RESOLUTION #15-58

**RESOLUTION AUTHORIZING REFUNDING OF TAX OVERPAYMENT BLOCK
188.01 LOT 13 C0003**

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2011; and,

WHEREAS, such judgment has resulted in an overpayment of the 2011 taxes.

NOW, THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex State of New Jersey, that they hereby authorize the Township Treasurer to issue check for said overpayment and the Tax Collector refund said overpayment of taxes on the following account:

BLOCK	LOT	QUAL	NAME	AMOUNT	LOCATION
188.01	13	C0003	Mattern, Charles & Karla c/o Budd Larner P.C	\$648.27	█
█					
Attorney Trust Account					

RESOLUTION #15-59

**RESOLUTION AUTHORIZING REFUNDING OF TAX OVERPAYMENT VARIOUS
PROPERTIES**

WHEREAS, a Tax Court Judgment has been favorably awarded for the year 2013; and,

WHEREAS, such judgment has resulted in an overpayment of the 2013 taxes.

NOW, THEREFORE BE IT RESOLVED by the Council of the Township of Vernon, County of Sussex State of New Jersey, hereby authorize the Township Treasurer to issue check for said overpayment and the Tax Collector refund said overpayment of taxes on the following account:

BLOCK	LOT	NAME	AMOUNT	LOCATION
199.01 U1	29 C0001	Jacobus & Associates LLC Trustee Zampetti, Nicholas & Mariann	\$ 289.19	█ █ █
199.03 Ct U1	52 C0001	Jacobus & Associates LLC Trustee Zampetti, Nicholas & Mariann	\$ 131.45	█
199.08	5 C3271	Jacobus & Associates LLC Trustee Zampetti, Nicholas & Mariann	\$ 604.67	█
199.08 Ct U7	18 C0043	Jacobus & Associates LLC Trustee Zampetti, Nicholas & Mariann	\$ 757.15	█ █
199.13 Ct U2	12 C0002	Jacobus & Associates LLC Trustee Zampetti, Nicholas & Mariann	\$ 262.90	█ █

RESOLUTION # 15-60

TRANSFER RESOLUTION- FUND BALANCE TRANSFER

WHEREAS, the Township of Vernon Municipal Budget requires certain modifications to cover potential expenses that may occur in excess of the original budget...

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Vernon that the following Transfer of Appropriations (2014 Municipal Budget) in accordance with N.J.S.A 40A-58/59 and hereby approved.

FROM:

Current Budget:
 Group Insurance- OE \$200,000.00

 Total Current Fund Budget Transfers \$200,000.00

TO:

Current Budget:
 Road Repairs & Maintenance- SW \$ 50,000.00
 Road Repairs & Maintenance- OE 150,000.00

 Total Current Fund Budget Transfers \$200,000.00

Resolution #15-61

RESOLUTION – AUTHORIZING THE CANCELLATION OF CAPITAL APPROPRIATION BALANCES

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Capital Fund Balance, and unused debt authorizations may be canceled:

NOW THEREFORE, BE IT RESOLVED, by the Council of the Township of Vernon, that the following unexpended and dedicated balances of the General Capital Appropriations be canceled:

<u>ORD</u>	<u>DATE</u>	<u>PROJECT</u>	<u>AMOUNT</u>
<u>CANCELLED</u>			
11-07	03-28-2011	VARIOUS IMPROVEMENTS	\$ 36,440.63
11-08	04-28-2011	EMERGENCY SERVICE IMPROVEMENTS	13,701.58
12-08	05-14-2012	VARIOUS IMPROVEMENTS	2,736.10
12-15	09-10-2012	CANISTEAR RD & OTHER ROAD IMPROVEMENTS	3,232.49
13-01	02-25-2013	VARIOUS IMPROVEMENTS	801.72
13-02	02-25-2013	PURCHASE OF FLAIL MOWER	862.53
13-09	05-30-2013	VARIOUS IMPROVEMENTS	644.41
13-17	10-17-2013	VARIOUS IMPROVEMENTS	428.00

RESOLUTION #15-62

AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE VERNON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR THE SERVICES OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Mayor and Council of the Township of Vernon Township, a Municipal Corporation of the State of New Jersey and the Vernon Township Municipal Utilities Authority (VTMUA), a municipal utilities authority established pursuant to N.J.S.A. 40:14-B-1 et. seq.

have determined that an Interlocal Service Agreement for the services of the Department of Public Works is in the best interest of the parties; and

WHEREAS, the specific services, payment arrangements, and term of agreement, have been negotiated and set forth in a written Interlocal Service Agreement between the Township and VTMUA.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey that the Mayor is hereby authorized to execute the Interlocal Service Agreement between the Township and VTMUA for the services of the Department of Public Works in accordance with the mutual terms and conditions of the attached Interlocal Service Agreement.

This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #15-63

AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE VERNON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR ADMINISTRATIVE SERVICES

WHEREAS, the Mayor and Council of the Township of Vernon Township, a Municipal Corporation of the State of New Jersey and the Vernon Township Municipal Utilities Authority (VTMUA), a municipal utilities authority established pursuant to *N.J.S.A. 40:14-B-1 et. seq.* have determined that an Interlocal Service Agreement for Administrative Services is in the best interest of the parties; and

WHEREAS, the specific services, payment arrangements, and term of agreement, have been negotiated and set forth in a written Interlocal Service Agreement between the Township and VTMUA.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey, that the Mayor is hereby authorized to execute the Interlocal Service Agreement between the Township and VTMUA for Administrative Services in accordance with the mutual terms and conditions of the attached Interlocal Service Agreement.

This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #15-64

AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL SERVICE AGREEMENT WITH THE VERNON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR THE SERVICES OF A CHIEF FINANCIAL OFFICER

WHEREAS, the Mayor and Council of the Township of Vernon Township, a Municipal Corporation of the State of New Jersey and the Vernon Township Municipal Utilities Authority (VTMUA), a municipal utilities authority established pursuant to *N.J.S.A. 40:14-B-1 et. seq.* have determined that an Interlocal Service Agreement for the services of a Chief Financial Officer is in the best interest of the parties; and

WHEREAS, the specific services, payment arrangements, and term of agreement, have been negotiated and set forth in a written Interlocal Service Agreement between the Township and VTMUA.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon, County of Sussex, and State of New Jersey that the Mayor is hereby authorized to execute the Interlocal Service Agreement between the Township and VTMUA for the services of a Chief Financial Officer in accordance with the mutual terms and conditions of the attached Interlocal Service Agreement.

This Resolution shall take effect immediately upon adoption according to law.

RESOLUTION #15-65

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$8,285,871
BOND ANTICIPATION NOTES OF THE TOWNSHIP OF VERNON, IN THE COUNTY
OF SUSSEX, NEW JERSEY**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
VERNON, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:**

Section 1. Pursuant to a bond ordinance of the Township of Vernon, in the County of Sussex (herein called "local unit") entitled: "Bond ordinance appropriating \$1,650,000, and authorizing the issuance of \$1,571,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on March 28, 2011 (#11-7), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,324,187 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefore.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$1,484,000, and authorizing the issuance of \$1,412,000 bonds or notes of the Township, for various improvements or purposes for emergency services authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on April 28, 2011 (#11-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,134,900 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of sanitary sewerage collection and transmission facilities in and by the Township of Vernon, in the County of Sussex, New Jersey, appropriating \$4,000,000 therefor and authorizing the issuance of \$3,809,000 bonds or notes of the Township for financing such appropriation", finally adopted on November 14, 2011 (#11-22), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$3,760,784 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$2,350,000, and authorizing the issuance of \$2,066,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of Vernon, in the County of Sussex, New Jersey", finally adopted on June 23, 2014 (#14-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,066,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 5. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 4, inclusive, described, shall be combined into a single and combined issue of bonds in the principal amount of \$8,285,871.

Section 6. The following matters in connection with said Bond Anticipation Notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or the interim chief financial officer (the "chief financial

officer”) of the local unit, provided that no note issued pursuant to Section 1 to 4, inclusive, hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

(c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 7. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer’s signature upon said notes shall be conclusive as to such determinations.

Section 8. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 9. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 10. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 11. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 12. This resolution shall take effect immediately.

RESOLUTION #15-66

ENDORISING THE SUBMISSION OF THE 2014 RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987 c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Vernon Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Vernon that the Township of Vernon hereby endorses the submission of the 2014 Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and designates David Pullis, Director of Public Works, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

INTRODUCTION/1st READING OF ORDINANCES

Council President Rizzuto read Ordinance #15-04 by title:

Ordinance #15-04: CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Township Auditor Bud Jones gave a brief overview of this ordinance.

Council President Rizzuto asked for a motion to introduce Ordinance #15-04 with a public hearing to be held on March 23, 2015.

MOVED: Brian Lynch
SECONDED: Jean Murphy

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzels, Patrick Rizzuto
NAYS: None
ABSTAIN: None

Motion carried to introduce Ordinance #15-04 with a public hearing to be held on March 23, 2015.

PUBLIC HEARING/2nd READING OF ORDINANCES

Ordinance #15-03

Council President Rizzuto read Ordinance #15-03 by title only.

ORDINANCE OF THE TOWNSHIP OF VERNON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY

THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES, MORE SPECIFICALLY UNUSED WATER TRANSMISSION MAINS

Council President Rizzuto asked for a motion to open the public hearing on Ordinance #15-03.

MOVED: Brian Lynch
SECONDED: Dick Wetzel
All Members were in favor.

Council Member Murphy requested an overview of the purpose of this ordinance. Township Engineer Cory Stoner explained that these lines were part of a system built in 2005-2006 to bring water to the town center and that it was not being used. Council Member Kadish questioned the costs. Township Engineer Stoner explained the cost provided included the actual construction costs with no depreciation on the lines. Township Engineer Stoner further explained that the system and its use is tied into the franchise areas granted by the State Board of Public Utilities (BPU). Township Engineer Stoner explained the lines in the ordinance fell into the franchise area of United Water; however, another company could bid on the lines and then apply to have the franchise area changed by the BPU. Engineer Stoner discussed the BPU franchise line limits. Council Member Murphy questioned if the water park in town was not built would this affect the lines. Engineer Stoner explained this is not connected to the water park but to lines in the Main Street area. Mayor Marotta noted that the Township municipal building was not included in United Water's BPU's franchise area and therefore a new franchise agreement would have to be granted before United Water could utilize lines there. Engineer Stoner discussed the franchise area limits and the water lines. Council Member Kadish questioned why there was no long range plan. Mayor Marotta explained a lot depends upon the BPU's approval of the franchise area for a company. Mayor Marotta also noted at the time the lines were installed the engineer for the Township was a salaried employee. Council Member Murphy opined that the contract negotiation meetings should be open to the public. Township Engineer Stoner advised that United Water needs to get approved for Phase I prior to getting approved for Phase II of the project. Township Attorney Ursin noted that Town Center was originally one phase but had been split for water supply. Attorney Ursin noted that the successful bidder must apply to the BPU for approval and certify to the BPU that they can supply the water needed. Engineer Stoner noted that in 2005-2006, DEP approval was not received because they did not have the supply. The Council discussed the water lines as depicted on the Exhibit for the Ordinance.

Sally Rinker, Vernon, stated that she did not have enough information and that the public deserved all information. Ms. Rinker questioned the amount of pipe, noting this was a township asset. Ms. Rinker stated the value is how much the cost would be to install today. Township Engineer Stoner discussed the length of pipe. Township Attorney Ursin noted Ms. Rinker's statement was not correct regarding the value of the lines which must reflect the depreciation as these are not new lines but approximately 10 years old.

Council Member Murphy questioned if there was a conflict based upon her position as a Realtor in the municipality. Township Attorney Ursin stated that conflicts are self determinative and discussed factors in determining whether there would be a conflict. Council Member Kadish questioned the estoppel period for the Ordinance in relation to the auction date. Township Attorney Ursin opined the auction could be held prior to the estoppel date as the Township was not signing a contract at that time.

Council President Rizzuto asked for a Motion to close the public hearing.

MOVED: Brian Lynch
SECONDED: Dick Wetzel
All Members were in favor.

Council President Rizzuto asked for a Motion to adopt ordinance #15-03.

MOVED: Brian Lynch
SECONDED: Dick Wetzel

A roll call vote was taken:

AYES: Dan Kadish, Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto

NAYS: None

Motion carried to pass the Ordinance 15-03 with an auction date to be held on March 23, 2015 at 7:00 p.m..

INTRODUCTION OF THE 2015 MUNICIPAL BUDGET

Resolution #15-67: 2015 Municipal Budget

Mayor Marotta thanked the Department Heads for their hard work as well as CFO Elke Yetter and Administrator Bill Zuckerman. Mayor Marotta also thanked the Council for their work during the budget hearings.

Administrator Bill Zuckerman reviewed the changes as requested from the draft budget based upon the feedback of the Council at the Budget Workshop meetings. Administrator Zuckerman asked the Township Auditor Bud Jones how long he had been the Auditor for the Township of Vernon. Mr. Jones replied approximately 5-6 years. Mr. Zuckerman questioned Mr. Jones of how many recommendations he had made in the past year. Mr. Zuckerman and Mr. Jones discussed the one recommendation for a centralized collection of Township payments. Mr. Zuckerman questioned Mr. Jones if he had ever seen any misappropriation of any of the Township Funds. Mr. Jones replied that he had not. Mr. Zuckerman questioned Mr. Jones if he had received all the information and records he had needed for the various audits he had done or if any information had been withheld from him. Mr. Jones advised he had readily received access to any information he requested. Mr. Zuckerman questioned Mr. Jones if he had ever seen and what would happen if the Township used debt service to pay for operating expenses. Mr. Jones advised he had not seen the Township use debt service to pay for operating expenses. Mr. Jones further advised that the CFO, himself, and Bond Counsel could lose their license if that occurred. Mr. Zuckerman questioned Mr. Jones if he had seen any misappropriation or depletion of the Township's trust funds. Mr. Jones advised he had not.

CFO Elke Yetter reviewed the various expenses for the budget worksheet.

Council Member Lynch questioned the increased rate of collection, to which CFO Yetter attributed the diligent work of the tax collector and hopefully a sign of an improving economy. Council President Rizzuto noted that one tax point is approximately \$264,440 so in being able to lower the reserve for uncollected taxes the township had saved one point there. Mayor Marotta commented that the CFO, Administrator and Department Heads deserve the credit for the progress on the budget and he thanked them for their hard work. Mayor Marotta noted that the budget hearings occurred while he was on vacation and the Township ran well while he was away. Council President Rizzuto noted that the assessed value of property has decreased since 2011. Mayor Marotta stated that the value had gone down over \$220 million since he has been Mayor. Mayor Marotta continued that taxes would have gone down more if the value had not been reduced. Mayor Marotta stated that in the past, Vernon was able to build its way out of problems, indicating that the Township was adding new homes and new ratables. However, the Township cannot do that now due to the Highlands Act. The Township, he stated, was focusing on increasing commercial ratables, pointing to the Vernon Urgent Care, Red Tail Lodge and Dollar General Store as recently being built. Council Member Kadish indicated in the past the budget had a sheet C3. CFO Yetter indicated the State had removed that form from the budget and now made it part of the user friendly budget which is provided after the adoption of the budget. Council Member Kadish questioned advertising of the budget. CFO Yetter explained that the budget is advertised in summary and a copy is available at the Clerk's Office. CFO Yetter also explained that a copy was available at the library and it will be on the website. Council Member Kadish questioned if the Township should have a another work session about the budget.

Council President Rizzuto asked for a motion to introduce Resolution #15-67 with a public hearing to be held on April 13, 2015.

MOVED: Brian Lynch

SECONDED: Dick Wetzel

AYES: Brian Lynch, Jean Murphy, Dick Wetzel, Patrick Rizzuto

NAYS: Dan Kadish

Motion carried to introduce Resolution #15-67 with public hearing to be held on April 13, 2015.

RESOLUTION #15-67

INTRODUCTION OF 2015 BUDGET

BE IT RESOLVED that the Local Municipal budget of the Township of Vernon, County of Sussex, New Jersey for the fiscal year 2015 be approved by the Governing Body of the Township of Vernon, and the Clerk is hereby instructed to advertise in the New Jersey Herald on March 18, 2015 and that a final public hearing before passage will be held on April 13, 2015 at 7:30 P.M. at the Municipal Building 21 Church Street, Vernon and that said budget shall authorize total general appropriations of \$23,739,728.00 and the anticipated revenues of \$8,494,893.00 leaving an amount to be raised by taxes for municipal purposes of \$15,244,835.00.

COUNCIL COMMENTS

Council Member Murphy stated she had called Sandy Urgo of the Land Conservancy and they had not called her back regarding the process for the selling of property. Council Member Murphy indicated that the Mayor had not provided her with the information as he was away. Mayor Marotta indicated that the negotiations are not done and when he has completed same information will be available. Council President Rizzuto indicated under the present municipal code, the Mayor does the negotiations of the contract; it is not the Council. Council Member Murphy stated that she was merely calling to receive information.

Council Member Kadish said he had no comment.

Council Member Lynch thanked the people who made the budget possible. Council Member Lynch thanked Dave Pullis for the work he had done with the snow removal this year after such a difficult winter. Council Member Lynch thanked animal control for getting the two wild turkeys off Canistear Road as they were stopping traffic. Council Member Lynch thanked Bud Jones, the Township Auditor for coming out tonight.

Council Member Wetzel thanked Mr. Jones for answering the Administrator's questions this evening as this was in response to a letter written to the local press. Council Member Wetzel stated he did not know how anyone could complain about a budget with no increase.

Council President Rizzuto stated this was a strong budget which served the community. Council President Rizzuto indicated the Township's debt service was being reduced and the fund balance was increasing. Council President Rizzuto indicated there are funds in the budget for classes and training, noting that he and Council Member Wetzel had attended a class recently on budgeting. Council President Rizzuto indicated the total amount in the account needed to be split among all members of the Council and Mayor to be the fairest way to split the funds. Council President Rizzuto stated it would be \$533 per person and once that was expended if council member wanted to use their own money for other classes they are welcome to do so. Council President Rizzuto asked Auditor Jones how many recommendations were in last year's budget. Auditor Jones indicated there was one for the centralization of the collection of funds. Council President Rizzuto stated if the Township had more funds they could hire someone to centralize finances, but currently they were trying to keep taxes down. Council President Rizzuto encouraged persons attending the meeting to take a copy of the article in the New Jersey League of Municipalities about Vernon.

ADJOURNMENT

There being no further items of business to be conducted on the agenda, a motion for Adjournment was made by Council Member Lynch, seconded by Council Member Murphy with all members voting in favor.

The Regular Meeting of the Township Council of the Township of Vernon was adjourned at 9:47 p.m..

Respectfully submitted,

Lauren Kirkman, RMC, CMR
Municipal Clerk

Patrick Rizzuto,
Council President

Minutes approved: April 27, 2015